

Suits – I & CAD Department – L.A. - Formation of CADA Roads Nalgonda District, Venkatadripalem (V), Miryalaguda Mandal – Sanction of Decretal charges for an amount of Rs. 2,96,907/- towards the land acquired for formation of CADA Road in connection with High Court Order in Appeal Suit No.1057/2004 filed against the orders in O.P. No. 36/2001 to deposit the said amount in the lower court – Sanction – Orders – Issued.

IRRIGATION &amp; CAD (GENL.IV.2) DEPARTMENT

Dt: 28 -08-09.

Read the following:-

From the Spl.Collector,LA,Nalgonda Ir.No.A5/1391/2009 DT.29-06.2009

- S -

ORDER:

The Special Collector (LA),Nalgonda has informed that the LAO/Special Dy.Collector (LA), Nalgonda has acquired an extent of Ac.5.18 ½ Guntas of patta land situated at Reballey village ,Mellacheruvu Mandal Nalgoda District for formation of CADA Ayacut Road and awarded compensation @ Rs. 520/- per acre . Aggrieved with the compensation awarded, some of the Awardees covering an extent of Ac. 3.26 1/2 guntas sought a reference u/s 18 of LA Act and Civil Court enhanced the compensation to Rs. 10,000/- per acre vide decree dated 31-07-1996 in OP No. 5/1991. The state preferred an appeal before the Hon'ble High Court of A.P., Hyderabad. The Hon'ble High Court in its orders dated 23-01-2007 in A.S.No.2849/99 , has confirmed the rate fixed by the Senior Civil Court, Suryapet in O.P.No.5/91 with all statutory benefits.. The Government Pleader (Appeals), High Court opined that it is not fit case to file Appeal in the Hon'ble Supreme Court of India and advised to comply the orders of Hon'ble High Court.. The Special Deputy Collector,(LA),AMRP has submitted proposals for sanction of decretal charges.

2. The Special Collector (LA),Nalgonda has therefore requested for sanction of decretal charges in respect of O.P.No.5/1991.

3. Government after careful examination of the proposal, hereby accord sanction for an amount of Rs.1,48,066/- (Rupees One lakh, forty eight thousand and sixty six only) towards the land acquired for formation of CADA Roads at Reballey (V), Mellacheruvu Mandal , Nalgonda District to deposit the said amount in the Lower Court to comply with the orders of High Court dated 23-01-2007 in A.S.No. 2849/99 filed against the decree dated 31-07-1996 in O.P. No. 5/1991.

4. The above amount is sanctioned, subject to verification whether the reference under section 18 of the LA. Act is made to the lower court after following all the guidelines/ directions on the subject and in case it is detected that Section 18 reference was made contrary to the rules/guidelines issued by the Government/Chief Commissioner of Land Administration, immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution Petition and also subject to confirmation of the decretal amount by the Special Collector, LA., Nalgonda and as to the extent of land acquired.

5. The Commissioner, CADA is directed to meet the expenditure sanctioned in para (3) above, under the following head of account:

**4705-Capital outlay on Command Area Development-M.H.101 NSP  
Command Area-G.H-11-Normal State Plan-S.H. 05 Ayacut Road-530  
Major Works 532 – Lands (charged).**

6. The Special Collector, L.A., Nalgonda is directed to follow the directions issued by the Hon'ble High Court on 30-4-2007 in WP. No. 2181 of 2005 in disbursement of the above sanctioned decretal charges under provision of NSP Act to the rightful claimants in respect of O.P. No. 5/1991 to avoid intervention of middlemen.

7. The Commissioner, CADA., is requested to take further action in the matter and ensure that the amount is deposited in the Lower Court at an early date as per the directions of High Court in Appeal Suit No.2849/99 by giving suitable instructions to Special Collector (LA), Nalgonda.

8. This order issues with the concurrence of Finance (Exp. P.W.I) Department vide their U.O.No.21570/822/Exp.P.W.I/09, dated:18-08-2009.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**S.P. TUCKER  
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Commissioner, CADA, Jalasoudha  
Building, Errummanzil, Hyderabad.

The Spl. Chief Secy. to Govt. & CCLA.,  
A.P. Hyderabad.

The Spl. Collector, (LA), Nalgonda.

Copy to:

Spl. Dy. Collector, LA., Nalgonda.

The Accountant General, A.P., Hyderabad.

The Govt. Pleader for LA., High Court of A.P. Hyd.

The Finance (Exp. P.W.I) Dept./The Law Dept.

The P.S. to Minister (M & MI)

The P.S. to Prl. Secy. to Govt., I&CAD.Dept.

S.F./S.C.

**// Forwarded by Order //**

**SECTION OFFICER**